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REMARKS

Claims 1 and 9 are amended and Claims 16-18 are added. Claims 1-18, as amended, remain in the application. No new matter is added by the amendments to the claims.

In the Office Action dated July 20, 2004, the Examiner rejected Claims 1-8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner cited the following example:

"The scope of claims 1-8 is not clear because it is not clear as to whether the claims directed to a cable processing device (see lines 1-2) or the swivel arm feeder (see preamble line 3). In formulating a rejection on the merits, the examiner is considering that the claims are drawn to the cable processing device and the claims will be rejected accordingly."

Applicant amended Claim 1 to clarify that Claims 1-8 are directed to a cable-processing device.

The Examiner rejected Claims 1, 2 and 7-11, as understood, under 35 § U.S.C. 102(b) as being anticipated by the U.S. Patent No. 4,678,393 issued to Mink. As applied to Claims 1 and 9, the Examiner stated that Mink discloses a processing device having processing stations capable of processing an electrical cable comprising: at least one swivel-arm feeder for feeding the cable to the processing stations comprising: a swivel-arm 19 having one end adapted to be mounted for swiveling movement and linear movement a gripper 22 mounted on an opposite end of said swivel-arm capable of gripping and releasing a cable-end; and an actuator 27 arranged on said swivel-arm 19 and being connected to actuate said gripper 22 (see Figs.1-3, and the discussed at col. 3, lines 10-13). The Examiner further stated that the limitations of Claims 2, 7, 8, 10 and 11 are also met by Mink (see Fig. 2, shows that the actuator is mounted on the swivel arm 19 and between the two ends).

The Mink patent shows arms with bearing portions 17, 18 supporting linearly movable guide rods 19, 21. The guide rods have affixed at forward ends gripping devices 22, 25 being actuated by pneumatic cylinders 24, 27. The pneumatic cylinders 24, 27 are mounted on the gripping devices 22, 25 at the forward ends of the guide rods 19, 21.

Applicant amended Claims 1 and 9 to clarify that the gripper is mounted on the opposite end of the swivel-arm from the end mounted for swiveling movement and that the actuator is

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spaced from the gripper. The Mink patent does not show or suggest the claimed cable processing device as defined by the amended claims. The "swivel-arm" 19 identified by the Examiner is a guide rod that does not swivel and only moves linearly. The gripper 22 and the pneumatic cylinder 24 are mounted together at the forward end of the guide rod 19. The guide rod 19 is mounted on the end portion 17 of one of the arms of the supporting member 15 that swivels.

The Examiner rejected Claims 6 and 15, as understood, under 35 U.S.C. § 103(a) as being unpatentable over Mink in view of the U.S. Patent No. 4,733,457 issued to Tega et al. The Examiner admitted that Mink does not teach where the actuator is being mounted through an interior of the swivel arm. According to the Examiner, Tega et al. teaches the above feature (see Fig. 1) and, therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ Tega's teaching of the actuator being connected through an interior of the swivel arm onto the invention of Mink in order to form a desired structure having the configuration as described above. The Examiner stated that furthermore, it would have been an obvious matter of design choice to choose any desired location of the actuator including the location described above since applicant has not disclosed that the actuator being connected through an interior of the swivel arm is critical, patentably distinguishing features and it appears that the invention would perform equally well with the configuration as taught by the prior art reference where the actuator being connected adjacent to the swivel arm as shown in Figs. 1-2. The Examiner stated that the limitation of Claim 15 is also met as the above discussion.

The Tega et al. patent shows a mechanical hand for a robot having a piston 172 acting on a column 290 to actuate a tool 140 having opposed jaws 300. The piston and the column are both located in main block 142 that attaches the tool 140 to a head 128 that is mounted on the end of a robot arm. There is no swivel-arm shown in Fig. 1. Even if the main block 142 of Tega et al. were substituted for the pneumatic cylinder 24 of Mink, such a combination would still lack an actuator and a gripper mounted on a swing arm with the spaced from the gripper as defined by Claims 1 and 9.

The Examiner stated that Claims 3-5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. Original Claims 1 and

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3 have been combined in new independent Claim 16 and dependent Claims 17 and 18 correspond to Claims 4 and 5 respectively.

The Examiner stated that the prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. According to the Examiner, the other references of record teach cable processing device or the like. The Examiner cited: the U.S. Patent No. 6,658,726 issued to Conte; the U.S. Patent Application Publication No. 2003/0180137 of Schuster; the U.S. Patent Application Publication No. 2004/0068851 of Lustenberger et al.; and the U.S. Patent No. 5,412,855 issued to Koch. Applicant reviewed these references and found them to be no more pertinent than the prior art relied upon by the Examiner in his rejections.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.